



RE: Case No. 10-13647(SMB), Spongetech Delivery Systems, Inc.  
 Susan Levin  
 to:  
 Bernstein.chambers  
 07/05/2011 04:45 PM  
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RE: Case No. 10-13647(SMB), Spongetech Delivery Systems, Inc.

Dear Judge Bernstein,

I just spoke with your law clerk, Carl Wedoff, and he suggested that I email you. During the June 21 Spongetech hearing, you mentioned the possibility of authorizing me as Estate Representative to enable me, entirely at my own cost, to obtain information related to Spongetech's share count (NOBO list, etc.). You went on to say that I would have "to ask for it." (Mr. Acampora then responded "We would have no objection to that." See transcript section below.)

My question is, will my asking for this authorization require the writing and filing of a motion, getting a hearing date, notifying all creditors and coming to NYC for the hearing? I have spoken to three different attorneys and received three different answers, ranging from writing a letter, to writing a pro se motion to hiring a NYC BK attorney at a cost considerably higher than the costs associated with obtaining the information.

I am willing to do whatever is required due to the importance of this information, but would prefer not to spend more than is necessary.

If someone could answer this question for me (phone or email, whichever is easier), it would be very helpful and greatly appreciated.

Thank you very much.

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20 THE COURT: Is this a list that anybody can get?  
 21 MR. ACAMPORA: I don't know that just anybody can get  
 22 it. I am sure a shareholder can seek relief for the Court and  
 23 get permission to seek it on their own.  
 24 THE COURT: Maybe that's what she should do.  
 25 MR. ACAMPORA: But the trustee really doesn't want to  
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 1 be involved in assisting people in the trading of these  
 2 securities.  
 3 THE COURT: All right.  
 4 MR. SASSER: For what I understand the trustee's  
 5 office is the only one that can get those lists, unless he wants  
 6 to give up the right and give it to the shareholders.  
 7 THE COURT: Could I authorize this person -- you know  
 8 what I could do if she wants, I guess without objection. I  
 9 could authorize this person as an estate representative on her  
 10 own dime, to go out and get the list.  
 11 MR. SASSER: That would be great.  
 12 THE COURT: All right. But she's got to ask for it.  
 13 MR. ACAMPORA: We would have no objection to that.  
 14 THE COURT: All right.  
 15 MS. SASSER: But it was Mr. Acampora

*Unfortunately the  
 Court does not give legal  
 advice.*

STUART M. BERNSTEIN

7/6/11